



OFFICE OF THE DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

April 19, 2017

**MEMORANDUM FOR GROUP FEDERAL OFFICER, OFFICE OF THE ADMINISTRATIVE
ASSISTANT TO THE SECRETARY OF THE ARMY**

**SUBJECT: Inland Waterways Users Board – Charter Renewal and Membership Balance Plan
Approval**

The charter renewal and membership balance plan for the Inland Waterways Users Board (“the Board”) are approved. A copy of the Board’s charter and membership balance plan will be provided to you and the Board’s Designated Federal Officer (DFO) once I file the charter renewal with the Defense Congressional Oversight Committees, the Library of Congress, and the General Services Administration.

In consultation with the Office of the General Counsel of the Department of Defense (DoD), I have affirmed that all individuals appointed to the Board, once approved according to DoD policies and procedures, will be appointed to serve as representative members as directed by 33 U.S.C. § 2251(f)(2). The following points apply:

- a. Representative members approved for appointment or renewal of appointment according to DoD policies and procedures, will be appointed pursuant to 41 C.F.R. § 102-3.130(a).
- b. Each Board member must be notified, in writing, of the appointment decision. Any questions pertaining to these letters of notification should be referred to me or to your General Counsel. At a minimum, the letters shall contain the following:
 - ii. Notice that each representative’s appointment to serve on the Board is without compensation, with the exception of reimbursement of official Board-related travel and per diem
 - iii. A statement that each member is appointed to serve as a representative member.
 - iv. An explanation of the difference between serving as an SGE or representative member.
 - v. A summary of the applicable ethics requirements, to include whether SGE members are required to file a Confidential Financial Disclosure Report.

As the Group Federal Officer (GFO), you are responsible to the Secretary of the Army for:

- (a) Ensuring that the Board’s DFO attends all Board and subcommittee meetings for the entire duration of each and every meeting.
- (b) Ensuring that the DFO and the Board fully comply with all governing Federal statutes and regulations; DoD Instruction 5105.04, “Department of Defense Federal Advisory Committee Management Program”; policy decisions by the Secretary of Defense, the Deputy Secretary of Defense, or the Deputy Chief Management Officer; and procedural guidelines issued by the Advisory Committee Management Officer.

- (c) Ensuring that all work performed by the Board and its subcommittees is based upon written tasks or terms of reference (ToR) assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Army. As a minimum, written tasks or ToRs, shall include:
 - i. A description of the problem or policy to be analyzed and the DoD decision maker for the matter(s) under consideration;
 - ii. Authority for the members of the Board or its subcommittees to access DoD officials and DoD data that are pertinent to the matter(s) under consideration;
 - iii. A budget limitation under which the Board or its subcommittees must operate; and
 - iv. A date by which the Board must submit its written conclusions (advice and recommendations) to the DoD decision maker.
- (d) Providing adequate support to the Board and its subcommittees, and ensuring that the Board and its subcommittees are not unduly or inappropriately influenced by Federal employees or any special interest group.
- (e) Ensuring that all DoD and other Federal Agency documents provided to the Board or its subcommittees are properly marked according to governing statutes, regulations, and DoD policies and procedures.
- (f) Monitoring the implementation status of any recommendation adopted or partially adopted by the Department of the Army and ensuring the Department of the Army provides feedback on all Board recommendations.
- (g) Ensuring all DoD and other Federal Agency documents provided to the Board or its subcommittees are properly marked according to governing statutes, regulations, and DoD policies and procedures.
- (h) Monitoring the implementation status of any recommendation adopted by the DoD and ensuring that this information is available for future inquiries for the life of the Board.

Based on the Secretary of Defense memorandum of October 9, 2012, concerning advisory committees, we recommend you continually reevaluate committee functions and reduce, where appropriate, committee operating costs. As then-Secretary of Defense Panetta stated, "we must continually assess our advisory committees to ensure that they deliver appropriate value today and in the future as times and requirements change."

If you have questions about this DoD Program, the Federal governance and compliance requirements, the charter renewal, or the membership balance plan, please contact me at 703-692-5952 or by email at james.d.freeman4.civ@mail.mil.



James D. Freeman II
Advisory Committee Management Officer